

BOB FILNER
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CONGRESS OF THE UNITED STATES
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March 31, 2011

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Julius Genachowski
Chairman
Federal Communications Commission
Room 8-C453
445 12th St, SW
Washington, DC 20554

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Dear Mr. Chairman:

I am writing you regarding an issue of longstanding concern — namely the timely response by the FCC to address carriage access discrimination complaints brought by independent programmers against cable companies and other multi-channel video programming distributors, or MVPDs.

Currently, there are outstanding complaints brought by an independent programmer, with the oldest complaint dating back to 2007. The complaints, brought by independent programmer WealthTV, were filed against the owners of iN DEMAND: Time Warner, Comcast, Cox, and Bright House. WealthTV is currently awaiting a decision from the full commission regarding a request to reopen the record; or acceptance, rejection, or modification of a recommended decision from an Administrative Law Judge issued in October, 2009.

Back in June of 2010 I contacted you expressing my concerns in this matter. Your response indicated that the "...Commission staff is working actively to resolve this proceeding as quickly as possible." I am aware that WealthTV recently received a similar status response, namely that the complaints are being "actively worked."

Specifically, I would like to inquire into the status only of these outstanding complaints. Due to the length of time that these complaints have been pending before the FCC, it appears that a more definitive status response other than the complaints are being actively worked is warranted.

Sincerely,

BOB FILNER
Member of Congress

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Cc: Commissioner Meredith Attwell Baker
Commissioner Mignon Clyburn
Commissioner Michael J. Copps
Commissioner Robert M. McDowell

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FEDERAL COMMUNICATIONS COMMISSION

May 23, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Bob Filner
U.S. House of Representatives
2428 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Filner:

Thank you for your letter requesting an update on the status of the program carriage complaints filed by WealthTV against several cable television companies. I am pleased to note that the Commission has made considerable progress since your previous inquiry. On May 3, 2011, I circulated a draft decision among the Commissioners for review.

I also appreciate your concern regarding the length of time necessary to resolve this matter. Be assured that the Commission's staff worked hard to develop a solution to this complicated matter as expeditiously as possible.

Please let me know if I can be of any further assistance. My staff will inform you as soon as the Commission reaches a final decision in this proceeding.

Sincerely,



Julius Genachowski